Royal Canadian Mounted Police
External Review Committee

Comité externe d'examen
de la Gendarmerie royale du Canada

Access to Information Act

RCMP External Review Committee

Annual Report
2015-16

1. INTRODUCTION

The *Access to Information Act* gives the public a broad right of access to information contained in federal government records, subject to certain limited and specific exceptions.

Section 72 of the *Access to Information Act* requires that the head of every government institution prepare an annual report to be tabled in Parliament regarding the administration of the *Act* by that institution during the financial year. This report describes how the RCMP External Review Committee (ERC) administered the *Access to Information Act* throughout financial year 2015-16.

About the RCMP External Review Committee

Established in 1986 under Part II of the *Royal Canadian Mounted Police Act*, the RCMP External Review Committee is an independent and impartial administrative tribunal which contributes to fair and equitable labour relations within the Royal Canadian Mounted Police (RCMP). The ERC conducts an independent review of appeals of certain labour relations and employment matters of the RCMP (including harassment complaints, conduct, discharges and demotions and stoppages of pay and allowances) that are referred to it pursuant to section 33 and section 45.15 of the *Royal Canadian Mounted Police Act* and section 17 of the *Royal Canadian Mounted Police Regulations*. Its findings and recommendations are provided to the Commissioner of the RCMP who makes final decisions. The ERC reports directly to Parliament through the Minister of Public Safety and Emergency Preparedness.

2. ACCESS TO INFORMATION RESPONSIBILITIES

Because of the small size of the ERC (less than 10 FTE's) and the small number of requests received, all access to information functions are performed by the Executive Director and the Manager of Corporate Services. The ERC has no regional offices. The ERC processes requests as follows:

- the requested information is identified;
- the requests are examined to determine if they should be transferred to another government institution with a 'greater interest';
- possible exemptions are considered;
- a copy of the non-exempt information is prepared and forwarded to the requester with a transmittal letter; and,
- the requests and all related documentation are filed in the ERC's ATIP registry.

The ERC relies on existing Treasury Board guidelines regarding access to information.

Public Reading Room

The *Access to Information Act* requires that institutions maintain a reading room where the public can review records that have been disclosed by the ERC over the past three years. Records are available for review at no charge. Photocopying costs are applied at $0.20 per page. The ERC's public reading room is located at 60 Queen Street, Room 600, in Ottawa and is open from 10:00 a.m. to 3:00 p.m., Monday to Friday. Individuals who wish to review records must schedule an appointment with the ERC.

3. DELEGATION ORDER

The Minister of Public Safety and Emergency Preparedness Canada, pursuant to section 73 of the *Access to Information Act*, designates the Chair, the Vice-Chair and the Executive Director and Senior Counsel of the ERC to exercise the powers and perform the duties of the Minister as the head of a government institution, the RCMP External Review Committee, under certain sections of the *Act*. Responsibilities associated with the administration of the *Access to Information Act* include notifying applicants of extensions and transferring requests to other institutions (see Annex A, Delegation Order).

4. *ACCESS TO INFORMATION ACT* STATISTICAL REPORT

During fiscal year 2015-16, the ERC received nine requests under the *Access to Information Act*. The disposition of these requests is as follows:

All disclosed	1
Disclosed in part	2
All exempted	0
All excluded	0
No records exist	0
Request transferred	2
Request abandoned	1
Neither confirmed nor denied	0
Total	6

Note: Three requests were carried forward to fiscal year 2016-17.

Disposition of Requests

One request was disclosed in its entirety and the disposition and completion time was between one to 15 days.

Two requests were disclosed in part as some text was exempted under subsection 19(1) and paragraph 20(1)(*c*) of the *Access to Information Act*. The disposition and completion of both requests was between 16 and 30 days.

The ERC transferred two requests to the RCMP Access to Information Coordinator because the ERC did not possess the requested information. The disposition and completion time for each request was between one and 15 days.

One request was abandoned after 60 days.

One request was carried over to the next reporting period and a response provided in early April 2016 as it had been received close to the end of the reporting period. Two requests were carried over to the next reporting period because the requests were received close to the end of the reporting period and consultations were required with two other federal government institutions.

In all the requests noted above, the applicants were advised accordingly.

Source of Requests

Eight requests received during the reporting period were from the public. The remaining request was from the media.

Consultations from Other Institutions

During the reporting period, the ERC received two consultations regarding formal requests received by another federal government institution. In both requests, the ERC did not object to the disclosure of any part of the requested information under the *Access to Information Act*. The completion time for each request was between one and 15 days.

Informal Processes

Whenever possible, information is provided informally to the public by ERC employees. Additionally, the ERC's website serves as a valuable source of information on the ERC program, including annual reports to Parliament and financial information. Given the sensitivity of much of the information in the case files that are referred to the ERC, there are few opportunities to disclose other program information informally.

Other Consultations

There were two informal releases of previously released access to information packages during the reporting period.

There were no consultations on Cabinet Confidences under the *Access to Information Act* or requests sent to the Privy Council Office.

Annex B provides a summarized statistical report on *Access to Information Act* requests processed by the ERC between April 1, 2015 and March 31, 2016.

Multi-Year Trends

Evaluation of multi-year trends is difficult given the very small number of requests received each year by the ERC. The number and kinds of requests and consultations dealt with by the ERC in 2015-16 were typical of and generally consistent with previous years.

5. TRAINING ACTIVITIES

No formal ATI training was provided to ERC staff during the reporting period. Some ERC legal counsel have legal training in ATIP matters as the assessment of some requests may require legal analysis or advice.

Information about the ATI program and activities is routinely circulated to ERC staff in the course of normal operations.

6. POLICIES, GUIDELINES AND PROCEDURES

The ERC did not implement any new or revised access to information related policies, guidelines or procedures during the reporting period.

7. COMPLAINTS/AUDITS/INVESTIGATIONS

The ERC did not receive any complaints and no audits or investigations were concluded during the reporting period. There were no applications/appeals to the Federal Court for fiscal year 2015-16.

8. MONITORING TIME TO PROCESS

Monitoring of the time to process access to information requests during the reporting period was carried out on a case-by-case basis. Time to process requests is also discussed in the responsible management committee when required.

ANNEX A

Access to Information Act Delegation Order

Arrêté sur la délégation en vertu de la *Loi sur l'accès à l'information*

The Minister of Public Safety Canada, pursuant to section 73 of the *Access to Information Act**, hereby designates the persons holding the positions set out in the schedule hereto to exercise the powers and perform the duties and functions of the Minister as the head of a government institution, that is, the Royal Canadian Mounted Police External Review Committee, under the sections of the *Act* set out in the schedule opposite each position.

En vertu de l'article 73 de la *Loi sur l'accès à l'information**, le Ministre de la Sécurité publique Canada délègue aux titulaires des postes mentionnés à l'annexe ci-après, les attributions don't il est, en qualité de responsable d'une institution fédérale, c'est-à-dire, le Comité externe d'examen de la Gendarmerie royale du Canada, investi par les articles de la *Loi* mentionnés en regard de chaque poste.

Schedule

Annexe

Position Poste	Sections of the *Access to Information Act* Article de la *Loi sur l'accès à l'information*
Chairman Président	7, 8(1), 9, 10, 11(2) to/à (6) incl., 12(2), 13 to/à 24 incl., 25, 26, 27, 28(1), (4), (5), (6), (8), 29(1), 33, 37(4) 43(1), 44(2), 52(2), 52(3), 71, Reg./Règ. 6(1), 8
Vice-Chairman Vice-président	7, 8(1), 9, 10, 11(2) to/à (6) incl., 12(2), 13 to/à 24 incl., 25, 26, 27, 28(1), (4), (5), (6), (8), 29(1), 33, 37(4) 43(1), 44(2), 52(2), 52(3), 71, Reg./Règ. 6(1), 8

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Schedule

Annexe

Position Poste	Sections of the *Access to Information Act* Article de la *Loi sur l'accès à l'information*
Executive Director and Senior Counsel Directeur exécutif et avocat principal	7, 8(1), 9, 10, 11(2) to/à (6) incl., 12(2), 25, 28(1), (4), (6), (8), 29(1), 33, 37(4), 43(1), 44(2), 52(2), 52(3), 71, Reg./Règ. 6(1), 8

Access to Information Act Delegation Order

Arrêté sur la délégation en vertu de la *Loi sur l'accès à l'information*

Dated at the City of Ottawa, this 25th day of May, 2010

Daté en la ville d'Ottawa, ce _____ ième jour de _____, 2010

V Toews

Vic Toews, P.C., M.P.
Public Safety Canada

Vic Toews, C.P., député
Sécurité publique Canada

* R.S.C., 1985, c. A-1

*L.R.C. (1985), ch. A-1

ANNEX B

Statistical Report on the *Access to Information Act*

Name of institution: RCMP External Review Committee

Reporting period: 2015-04-01 to 2016-03-31

Part 1: Requests Under the *Access to Information Act*

1.1 Number of requests

	Number of Requests
Received during reporting period	9
Outstanding from previous reporting period	0
Total	9
Closed during reporting period	6
Carried over to next reporting period	3

1.2 Sources of requests

Source	Number of Requests
Media	1
Academia	0
Business (private sector)	0
Organization	0
Public	8
Decline to Identify	0
Total	9

1.3 Informal requests

Completion Time							
1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
2	0	0	0	0	0	0	2

Note: All requests previously recorded as "treated informally" will now be accounted for in this section only.

Part 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

Disposition of Requests	Completion Time							
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
All disclosed	1	0	0	0	0	0	0	1
Disclosed in part	0	2	0	0	0	0	0	2
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request transferred	2	0	0	0	0	0	0	2
Request abandoned	0	0	1	0	0	0	0	1
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	3	2	1	0	0	0	0	6

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	0	16(2)	0	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	20.2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	0	18(d)	0	21(1)(a)	0
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	0
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	1	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	0
15(1) - Def.*	0	16.3	0	20(1)(b)	0	24(1)	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	26	0
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	1		
16(1)(a)(ii)	0	16.5	0	20(1)(d)	0		
16(1)(a)(iii)	0	17	0				
16(1)(b)	0						
16(1)(c)	0						
16(1)(d)	0						

* I.A.: International Affairs Def.: Defence of Canada S.A.: Subversive Activities

2.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	0	69(1)	0	69(1)(g) re (a)	0
68(b)	0	69(1)(a)	0	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	0
68.1	0	69(1)(c)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	0	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	0	69(1)(g) re (f)	0
		69(1)(f)	0	69.1(1)	0

2.4 Format of information released

Disposition	Paper	Electronic	Other Formats
All disclosed	0	1	0
Disclosed in part	2	0	0
Total	2	1	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of Requests	Number of Pages Processed	Number of Pages Disclosed	Number of Requests
All disclosed	1	1	1
Disclosed in part	223	223	2
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	1
Neither confirmed nor denied	0	0	0

2.5.2 Relevant pages processed and disclosed by size of requests

	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
Disposition	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	1	1	0	0	0	0	0	0	0	0
Disclosed in part	0	0	2	223	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	1	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	2	1	2	223	0	0	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor	0	0	0	0	0
Total	0	0	0	0	0

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Closed Past the Statutory Deadline	Principal Reason			
	Workload	External Consultation	Internal Consultation	Other
1	0	0	0	1

2.6.2 Number of days past deadline

Number of Days Past Deadline	Number of Requests Past Deadline Where No Extension Was Taken	Number of Requests Past Deadline Where An Extension Was Taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	1	0	1
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	1	0	1

2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

Part 3: Extensions

3.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	0	0	0	0

3.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	0	0	0	0
31 to 60 days	0	0	0	0
61 to 120 days	0	0	0	0
121 to 180 days	0	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
Total	0	0	0	0

Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	2	$10	0	$0
Search	0	$0	0	$0
Production	0	$0	0	$0
Programming	0	$0	0	$0
Preparation	0	$0	0	$0
Alternative format	0	$0	0	$0
Reproduction	0	$0	0	$0
Total	2	$10	0	$0

Part 5: Consultations Received From Other Institutions and Organizations

5.1 Consultations received from other Government of Canada institutions and organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	2	4	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	2	4	0	0
Closed during the reporting period	2	4	0	0
Pending at the end of the reporting period	0	0	0	0

5.2 Recommendations and completion time for consultations received from other Government of Canada institutions

	Number of Days Required to Complete Consultation Requests							
Recommendation	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
Disclose entirely	2	0	0	0	0	0	0	2
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	2	0	0	0	0	0	0	2

5.3 Recommendations and completion time for consultations received from other organizations

	Number of Days Required to Complete Consultation Requests							
Recommendation	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

Part 6: Completion Time of Consultations on Cabinet Confidences

6.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

6.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101–500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Part 7: Complaints and Investigations

Section 32	Section 35	Section 37	Total
0	0	0	0

Part 8: Court Action

Section 41	Section 42	Section 44	Total
0	0	0	0

Part 9: Resources Related to the *Access to Information Act*

9.1 Costs

Expenditures		Amount
Salaries		$10,000
Overtime		$0
Goods and Services		$0
• Professional services contracts	$0	
• Other	$0	
Total		**$10,000**

9.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	0.10
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	0.10

Note: Enter values to two decimal places.